

**CITY COUNCIL
ATLANTA, GEORGIA**

06-R-2031

**A SUBSTITUTE RESOLUTION
BY TRANSPORTATION COMMITTEE**

A SUBSTITUTE RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE CHANGE ORDER NO. 1 WITH KISSBERG CONSTRUCTION, INC. FOR FC-7382-01, ANNUAL CONTRACT FOR CITYWIDE DEMOLITION SERVICES, ON BEHALF OF THE DEPARTMENT OF AVIATION; IN AN AMOUNT NOT TO EXCEED ONE HUNDRED SIXTY FIVE THOUSAND EIGHT HUNDRED ONE DOLLARS AND SIXTY CENTS (\$165,801.60); ALL CONTRACTED SERVICES WILL BE CHARGED TO AND PAID FROM FUND, ACCOUNT AND CENTER NUMBER 2H21 (AIRPORT RENEWAL AND EXTENSION FUND) 571001 (LAND) R21E0901AZ51 (LAND ACQ., NOISE COMPAT. W/IN 70-75 DNL); AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("City") did enter into an agreement with Kissberg Construction, Inc. ("Kissberg") for FC-7382-01, for Annual Contract for Citywide Demolition Services; and

WHEREAS, the City acquired Gilbert Gardens from the Atlanta housing Authority and relocated the residents due to high aircraft noise levels; and

WHEREAS, Gilbert Gardens was constructed to be low maintenance and extremely durable, existing of concrete masonry behind the brick exterior, concrete flooring and three (3) layers of roofing materials; and

WHEREAS, the use of these materials was not foreseen in the solicitation and bid pricing for FC-7382-01, Annual Contract for Citywide Demolition Services, and was unknown until demolition began; and

WHEREAS, the Department of Aviation has negotiated a change order with Kissberg, using unit prices contained in the bid pricing sheet, in an amount not to exceed One Hundred Sixty Five Thousand Eight Hundred One Dollars and Sixty Cents (\$165,801.60); and

WHEREAS, the Aviation General Manager and the Chief Procurement Officer recommend the execution of Change Order No. 1 with Kissberg for FC-7382-01, Annual Contract for Citywide Demolition Services.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES, that the Mayor is authorized to execute Change Order No. 1 with Kissberg Construction, Inc. ("Kissberg") for FC-7382-01, Annual Contract for Citywide Demolition Services, in an amount not to exceed One Hundred Sixty Five Thousand Eight Hundred One Dollars and Sixty Cents (\$165,801.60).

BE IT FURTHER RESOLVED, that the City Attorney is directed to prepare and appropriate agreement for execution by the Mayor.

BE IT FURTHER RESOLVED, that this Agreement will not become binding on the City and the City will incur no obligation nor liability under it until it has been executed by the Mayor, attested to by the Municipal Clerk, approved as to form by the City Attorney and delivered to Kissberg.

BE IT FINALLY RESOLVED, that all contracted work will be charged to and paid from Fund, Account and Center Number 2H21 (Airport Renewal and Extension Fund) 571001 (Land) R21E0901AZ51 (Land Acq., Noise Compat. W/In 70-75 DNL).